



RCE
3

MAIL STOP RCE
PATENT
8013-1055

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Atsushi YAMAGUCHI et al.

Conf. 6543

Serial No. 09/816,754

Group 2826.

Filed March 26, 2001

Examiner Remmon R. Fordé

NITRIDE BASED SEMINCONDUCTOR
PHOTO-LUMINESCENT DEVICE

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 30, 2003

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under §1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☐ The enclosed document is being transmitted via facsimile.

10/31/2003 EFLORES 00000007 09816754

01 TC:1801

779.00 00

NOV - 7 2003

RECEIVED

☒ **Submission Required under 37 C.F.R. § 1.114:**

Enter as part of the present submission:

- ☐ An After Final Amendment previously filed on _____, under 37 C.F.R. § 1.116 but unentered, in the present application.
- ☐ Arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☒ A Reply Under Rule 1.111 is attached hereto. Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY FILED	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	NUMBER EXTRA	RATE	FEE
Total Claims	55	50	0	x\$18 =	\$0.00
Independent Claims	3	3	0	x\$86 =	\$0.00
TOTAL CLAIM FEE(S)					\$0.00

- ☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.
- ☐ Other:

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

- ☐ \$385.00 - small entity
- ☒ \$770.00 - large entity

- ☒ The applicant(s) hereby petition(s) for an extension of two (2) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:
- ☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$420.00 is required for the full period of the above-requested extension of time.
- ☐ An extension of () month(s) was previously requested and paid for on _____ in the instant application. Thus, a fee of \$0.00 is required to obtain an additional () month(s) extension.

- ☒ Enclosed is a check in the amount of \$1,190.00 for the applicable filing fee, additional claims fee, and/or extension fees.
- ☐ Please charge Deposit Account No. 25-0120 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

YOUNG & THOMPSON

Thomas W. Perkins
THOMAS W. PERKINS
33027

Andrew J. Patch, Reg. No. 32,925
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297

AJP/lk

Attachments

Revised 0/0/0000